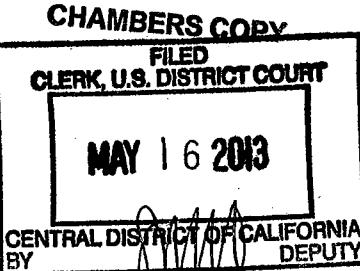


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6  
7 Attorneys for Defendant  
PETSMART, INC.

**MANDATORY**



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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
PHYLLIS FRANKIE, an individual,  
Plaintiff,  
v.  
PETSMART, INC., a Delaware  
corporation; DOES 1-25,  
Defendants.

Case No. CV12-07730 GAF (FFMx)  
*ORDER RE:*  
**STIPULATION RE DISMISSAL OF  
ACTION PURSUANT TO RULE  
41(a) OF THE FEDERAL RULES OF  
CIVIL PROCEDURE**

1 Plaintiff Phyllis Franke ("Plaintiff") and Defendant PetSmart, Inc.  
2 ("Defendant") (collectively "the "Parties"), by and through their counsel of record,  
3 hereby stipulate and agree as follows:

4 **WHEREAS**, on or about August 3, 2012, Plaintiff filed the Complaint in the  
5 above-captioned matter against Defendant in Ventura County Superior Court;

6 **WHEREAS**, the Complaint asserts the following six claims for relief: (1)  
7 Wrongful Termination in Violation of Public Policy; (2) Conspiracy & Aiding &  
8 Abetting (Cal. Gov. Code § 12940(i)); (3) Failure to Accommodate a Disability (Cal.  
9 Gov. Code §12940(m)); (4) Failure to Engage in the Interactive Process (Cal. Gov.  
10 Code § 12940(n)); (5) Retaliation for Exercising Rights under FEHA (Cal. Gov. Code  
11 § 12940(h)); and (6) Retaliation for Exercising Rights under CFRA (Cal. Gov. Code §  
12 12945.2).

13 **WHEREAS**, after answering the Complaint, on or about September 10, 2012,  
14 2012, Defendant timely removed this action to United States District Court in the  
15 Central District of California based upon diversity jurisdiction under 28 U.S.C. §  
16 1332;

17 **WHEREAS**, trial in this matter is scheduled for January 14, 2014;

18 **WHEREAS**, pursuant to Federal Rule of Civil Procedure 41(a), the Parties  
19 agree, that Plaintiff's Complaint and this entire action can and should be dismissed  
20 with prejudice.

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1 **THEREFORE**, subject to the approval of the Court, the Parties stipulate and  
2 agree that Plaintiff's Complaint and this entire action shall be and hereby is dismissed  
3 with prejudice, and that each party shall bear her and its own attorneys' fees and costs  
4 in connection with the prosecution and defense of this action.

5 **IT IS SO STIPULATED.**

6 Dated: May 13, 2013

Respectfully submitted,

7 LITTLER MENDELSON, P.C.  
8 A Professional Corporation

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/s/ Steven A. Groode  
STEVEN A. GROODE  
JENNIFER TSAO  
Attorneys for Defendant  
PETSMART, INC.

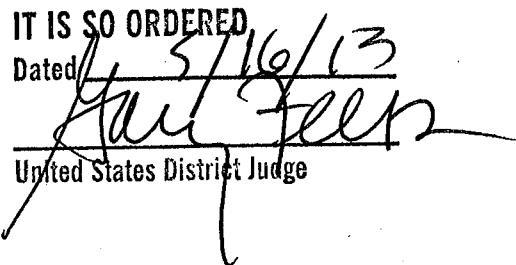
Dated: May 13, 2013

DONIGER/BURROUGHS APC

17 /s/ Stephen M. Doniger  
18 Stephen M. Doniger, Esq.  
19 Scott A. Burroughs, Esq.  
20 Annie Aboulian, Esq.  
21 Attorneys for Plaintiff  
22 PHYLLIS FRANKE

23 IT IS SO ORDERED

Dated

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United States District Judge